

## REMARKS

This application has been carefully reviewed in light of the Office Action dated March 2, 2009. Claims 1 to 6, 8 to 10, 12, 13 and 15 are in the application, with Claims 1 and 15 being independent. Claim 14 has been cancelled, and Claims 1, 8, 13 and 15 have been amended. Reconsideration and further examination are respectfully requested.

The drawings were objected to for alleged informalities. The Replacement Drawing Sheets submitted herewith are believed to attend to these objections. Accordingly, reconsideration and withdrawal of the objections to the drawings are respectfully requested.

The Abstract was objected to based on alleged informalities. The replacement Abstract is seen to attend to these objections. Reconsideration and withdrawal of this objection are therefore respectfully requested.

Claim 8 was objected to based on an alleged informality. The amendments to Claim 8 are seen to attend to this objection. Reconsideration and withdrawal of this objection are therefore respectfully requested.

Claims 1, 2, 5, 8 to 10, 12 and 14 were rejected under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2006/0085160 (Ouchi); Claim 3 was rejected under 35 U.S.C. § 103(a) over Ouchi in view of U.S. Patent Application Publication No. 2006/0188398 (Yano); Claim 4 was rejected under 35 U.S.C. § 103(a) over Ouchi in view of U.S. Patent Application Publication No. 2003/0122628 (Aikawa); Claim 6 was rejected 35 U.S.C. § 103(a) over Ouchi in view of U.S. Patent Application Publication No. 2007/0235658 (Zimdars); and Claims 13 and 15 were rejected under 35 U.S.C. § 103(a) over Ouchi in view of U.S. Patent Application Publication No. 2005/0201896 (Peck). Claim 14 has been cancelled without prejudice or disclaimer of subject matter, and without conceding the

correctness of its rejection. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

In this regard, Applicant wishes to thank the Examiner for the courtesies and thoughtful treatment accorded Applicant's representative during the May 27, 2009 telephonic interview. During the interview, the Examiner tentatively indicated that the foregoing amendments to the independent claims would overcome the outstanding rejections.

Among its many features, independent Claim 1 as amended provides that an electromagnetic terahertz wave transmitting portion and an electromagnetic terahertz wave receiving portion are disposed on opposite sides of a substrate facing each other with the substrate therebetween and are in contact with the substrate, and that a structure for holding the inspected object is between the electromagnetic terahertz wave transmitting portion and the electromagnetic terahertz wave receiving portion. The applied references are not seen to disclose or suggest at least these features.

Among its many features, independent Claim 15 as amended provides that an electromagnetic terahertz wave transmitting portion and an electromagnetic terahertz wave receiving portion are disposed to face each other with a substrate therebetween, and are in contact with the substrate, and that an inspected object insertion means uses physical phenomenon at an interface, corresponding to a capillary phenomenon, to perform insertion. The applied references are not seen to disclose or suggest at least these features.

Claims 1 and 15 are therefore believed to be allowable over the applied references.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied reference for at least the same

reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

No fees are believed due; however, should it be determined that additional fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/John D. Magluyan/  
John D. Magluyan  
Attorney for Applicant  
Registration No.: 56,867

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200